

Torrance, California
March 8, 1955

MINUTES OF A REGULAR MEETING
OF THE TORRANCE CITY COUNCIL

The City Council of the City of Torrance convened in a regular meeting in the Council Chambers, City Hall, Torrance, California, on Tuesday, March 8, 1955, at 8:00 p.m., Mayor Drale presiding.

Those responding to roll call by Deputy City Clerk Hallanger were: COUNCILMEN: Benstead, Blount, Isen, Schwab and Drale. ABSENT: COUNCILMEN: None. Also present were City Manager Stevens and City Attorney Hall.

At the request of Mayor Drale, Mr. Angus McVicar led the salute to our flag.

Reverend Bronson opened the meeting with an invocation.

Councilman Schwab moved the Minutes of the Regular Meeting held March 1, 1955, and the Adjourned Regular Meeting held March 4, 1955, be approved as written. Motion, seconded by Councilman Blount, no objections, so ordered by Mayor Drale.

Mayor Drale announced that this was the time and place set for the opening of bids on the Fire Station Building No. 4. Deputy City Clerk Hallanger opened and read the following bids, each of which was accompanied by a Bidder's Bond in the amount of 10% of the price bid, with the exception of the Bjerke-Nickolson Construction Company, who accompanied their bid with a certified check in the amount of \$5,800.00:

| <u>BIDDER</u> | <u>BASIC BID</u> | <u>"A"</u> | <u>"B"</u> | <u>"C"</u> |
|------------------------------|------------------|------------|------------|------------|
| Bjerke-Nickolson Constr. Co. | \$57,999.90 | \$ 900.00 | \$1,631.50 | \$100.00 |
| Carter Mack Builders | 59,843.00 | 1,797.00 | 2,385.00 | 100.00 |
| M.E. Didier Company | 59,897.00 | 2,615.00 | 3,128.00 | 127.00 |
| A.H. Dohrman Co. | 56,749.00 | 2,785.00 | 3,645.00 | 108.00 |
| Hoffman-Campbell Co. | 58,558.00 | 2,300.00 | 3,500.00 | 100.00 |
| Mayfair Construction Co. | 58,670.00 | 2,500.00 | 3,000.00 | 100.00 |
| Packard Construction Co. | 52,088.00 | 1,650.00 | 3,260.00 | 110.00 |
| R.E. Payne, Inc. | 55,856.00 | 1,250.00 | 3,050.00 | 110.00 |
| Barnett B. Poles | 59,463.00 | 1,815.00 | 3,400.00 | 250.00 |
| John Volz | 54,248.00 | 3,400.00 | 2,970.00 | 110.00 |
| John B. Wolf | 52,198.00 | 2,351.00 | 2,609.00 | 111.00 |

Councilman Isen moved the bids be referred to the City Manager for a starting recommendation. Motion, seconded by Councilman Benstead, no objections, so ordered by Mayor Drale.

Deputy City Clerk Hallanger stated that he had the affidavit of publication on the Fire Station bids and on the Water Department pipeline work.

Mayor Drale announced that this was the time and place to open bids for installing Water Department pipe in (1) Torrance Boulevard between Crenshaw Boulevard and Hawthorne Avenue, (2) Hawthorne Avenue (a State highway) between Torrance Boulevard and a point 1,800 feet north of Del Amo Boulevard, and (3) Hawthorne Avenue from 190th Street to a point 1,800 feet north of Del Amo Boulevard.

Deputy City Clerk Hallanger opened and read the following bids:

| <u>BIDDER</u> | <u>Item #1</u> | <u>Item #2</u> | <u>Item #3</u> | <u>TOTAL</u> |
|-----------------------------|----------------|----------------|----------------|--------------|
| S.E. Pipe Line Constr. | \$22,614.40 | \$11,681.30 | \$3,625.00 | \$37,920.70 |
| J.E. Young Pipe Line Const. | (lump sum bid) | | | 79,889.00 |
| Sam B. Pearce | 30,101.00 | 12,679.20 | 3,886.00 | 46,666.80 |
| J. Van Valkenburgh | 27,504.00 | 18,197.00 | 6,380.00 | 52,081.00 |
| Graven and Company | 14,745.20 | 16,142.50 | 3,480.00 | 34,367.70 |
| William DeMotte | 17,190.00 | 10,859.50 | 4,205.00 | 32,254.50 |
| ABC Construction Co. | (lump sum bid) | | | 55,310.00 |

Councilman Schwab moved the bids be referred to the City Manager and Water Superintendent for a recommendation later in the evening. Motion, seconded by Councilman Blount, no objections, so ordered by Mayor Drale.

Mayor Drale announced that this was the time and place to open bids for the improvement of: Anza Avenue southerly of Sepulveda Boulevard, Palos Verdes Boulevard from Linda Drive to Susana Avenue and Sepulveda Boulevard from Linda Drive to Leyte Drive.

Deputy City Clerk Hallanger opened and read the following bids, each of which was accompanied by a Bidder's Bond in the amount of 10% of the amount of bid:

| <u>BIDDER</u> | <u>TOTAL BID</u> |
|-------------------------------|------------------|
| Contractors Asphalt Sales Co. | \$11,227.50 |
| Griffith Company | 11,610.00 |
| Oswald Bros. | 11,250.00 |
| Warren-Southwest, Inc. | 11,092.50 |

Councilman Benstead moved the bids be referred to the City Manager and City Engineer for a recommendation later in the evening. Motion, seconded by Councilman Isen, no objections, so ordered by Mayor Drale.

HEARINGS:

Planning Commission Case No. 331: Change of Zone requested by Dominguez Estate Company within the boundaries of 190th Street on the North; 203rd Street on the South; Hawthorne Avenue on the East, and the western City boundary line on the West, from A-1 to C-2. The Planning Commission recommended approval, with the stipulation that any structure be set back in line with the houses on the north on parcels "A" and "B" on Exhibit "A" page 1.

Mayor Drale called for oral communications. There being none, Councilman Isen moved the hearing be declared closed. Motion, seconded by Councilman Benstead, carried unanimously by roll call vote.

Councilman Blount moved to concur with the recommendation of the Planning Commission with the special stipulation attached. Motion, seconded by Councilman Isen, carried unanimously by roll call vote.

Planning Commission Case No. 334: Proposed Change of Zone Land Use Plan from A-1 (Light Agricultural) to R-1 (Single-family Residential) on all of Tracts 18957, 20010, 20011, 19736, 15915, 20165; Tract 18021 lots 5 through 46 only; Tract 15917 lots 3 through 22 only; Tract 19102 lots 1 through 29-31 through 66 only; Tract 19425 lots 25 through 28, portion lots 1 through 24, 29 and 30; Tract 20348 lots 7 through 28 only; Tract 19101 lots 1 through 381 only; that portion of Lot 68 La Fresa Tract located on the southwest corner of 168th Street and Faysmith Avenue. The Planning Commission recommended approval.

Mayor Drale called for oral communications. There being none, Councilman Blount moved the hearing be declared closed. Motion, seconded by Councilman Schwab, carried unanimously by roll call vote.

Mayor Drale moved the Council concur with the recommendation of the Planning Commission. Motion, seconded by Councilman Benstead, carried unanimously by roll call vote.

Planning Commission Case No. 335: Proposed change of Zone Land Use Plan of certain portions of the district generally described as follows: Certain areas bounded on the west by Hawthorne Avenue on the North by Redondo Beach Boulevard, on the East by the Torrance City boundary and on the South by 190 Street. Certain undeveloped areas within this area are being developed for commercial purposes and to provide an area along the eastern boundary for light manufacturing use.

Mr. Barton made several inquiries on the proposed change and it was found the records on hand were not complete.

Councilman Schwab moved the hearing be declared closed. Motion, seconded by Councilman Benstead, carried unanimously by roll call vote.

Councilman Benstead moved the matter be referred back to the Planning Commission for clarification. Motion, seconded by Councilman Blount, carried unanimously by roll call vote.

Councilman Isen moved that when the Planning Commission reconsiders this case and it is clarified Mr. Barton be notified of the time and place, so he can appeal.

Mayor Drale said that a new hearing date would have to be set and that Mr. Barton would be notified at that time.

WRITTEN COMMUNICATIONS

State Controller Kirkwood, advising that Annual Apportionment of unrefunded Motor Vehicle Fuel Tax on aviation gasoline will be delayed, pending a study.

Councilman Isen moved that a brief suffice on any of the reports. Motion, seconded by Councilman Blount, carried unanimously by roll call vote. The communication will be filed.

Report of Shell Oil Company Franchise earnings, under Ordinances Nos. 116, 121, 174 and 328, and Los Angeles County Ordinances No. 1356 and 1502, for year ending December 31, 1954, enclosing certified copy of audit and check for \$831.38.

Councilman Isen moved the report of the Shell Oil Company regarding Franchise earnings be approved and the check accepted. After further discussion Councilman Isen withdrew his motion.

Councilman Blount moved the matter be referred to the City Manager and Legal Department for a recommendation. Motion, seconded by Mayor Drale no objections, so ordered.

Report of Tide Water Associated Oil Company Franchise earnings on their pipeline Franchise, Ordinances Nos. 127, 1014 and 1351, for year ending December 31, 1954, enclosing check for \$105.77.

Councilman Isen moved the matter be referred to the City Manager and Legal Department for a recommendation. Motion, seconded by Councilman Blount, no objections, so ordered.

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Southern California Edison Company report of Franchise earnings under Ordinance No. 407 for the year ending December 31, 1954, submitting check for \$27,970.39.

Mayor Drale moved the matter be referred to the City Manager and Legal Department for recommendation. Motion, seconded by Councilman Benstead, no objections, so ordered.

County of Los Angeles Board of Supervisors enclosing their Resolution relinquishing jurisdiction over a portion of Crenshaw Boulevard between the southerly boundary of the City and Sepulveda Boulevard.

Councilman Isen moved the communication and Resolution be filed. Motion, seconded by Councilman Blount, carried unanimously by roll call vote.

Alan Ryan, 5123 Avenue "B", protesting unsightly lamp post poles in front of homes.

Mayor Drale moved the communication be referred to City Engineer Bishop, who should write a letter giving the policy of the City of Torrance. Motion, seconded by Councilman Blount, no objections, so ordered by Mayor Drale.

Torrance Elementary School Parent-Teacher Association, Inc., requesting Stop sign at intersection of Arlington Avenue and 220th Street.

Councilman Schwab moved the communication be referred to the Traffic Commission. Motion, seconded by Councilman Benstead, no objections so ordered by Mayor Drale.

Torrance JayCettes request for free use of the Civic Auditorium on May 6, 7, & 8, for the Annual Torrance Hobby, Art and Flower Show.

Councilman Benstead moved the Council approve the request. Motion, seconded by Councilman Blount, carried unanimously by roll call vote.

City of Culver City, submitting their Resolution re abatement of nuisance caused by outfall sewer overflow.

Councilman Isen moved the letter and resolution be filed. Motion, seconded by Councilman Schwab, no objections, so ordered by Mayor Drale.

Request for permission to assign Airport lease from Johnson and Strutzel, co-partners, to Johnson and Strutzel Company, a corporation.

Councilman Isen moved the matter be referred to the City Attorney for recommendation. Motion, seconded by Mayor Drale, no objections, so ordered.

C.N. Weber, License Inspector, submitting applications for licenses to operate Fireworks Stands under Ordinance No. 692.

Councilman Benstead moved the matter be held over to the next Agenda Meeting. Motion, seconded by Councilman Blount, no objections to ordered by Mayor Drale.

Petition submitted by Mr. John Salm, bearing 67 signatures of residents in North Torrance, requesting that the confusing house numbering in effect on West 182nd Street be corrected.

City Manager Stevens said he believed the Council should authorize the Engineering Department to do the necessary field work, which has already been started.

Councilman Blount so moved. Motion, seconded by Councilman Benstead, no objections, so ordered by Mayor Drale.

Report of Mr. C.T. Rippey on proposed Assessment District for parking lots.

Councilman Blount moved that each Councilman be furnished a copy of the report. Motion, seconded by Councilman Schwab, no objections, so ordered by Mayor Drale.

Recommendations of City Manager Stevens:

PERSONNEL:

1. Raymond L. Silagy was employed to serve his probationary period as a Police Officer, effective March 1, 1955, at the first salary step. (Selected from Eligible List.)

TRANSFER OF FUNDS:

I recommend that the following amounts be transferred to the General Fund, effective March 9, 1955:

| <u>FUND</u> | <u>AMOUNT</u> |
|---------------------------|------------------|
| Major Streets ----- | \$40,000.00 |
| County Aid to Cities ---- | 30,000.00 |
| Airport Improvements ---- | 10,000.00 |
| Library ----- | 15,000.00 |
| Park and Recreation ---- | <u>35,000.00</u> |
| Total ---- | \$130,000.00 |

Above amounts to be returned to the respective Funds prior to June 30, 1955.

Councilman Schwab moved the Council concur with the recommendation of City Manager Stevens regarding transfer of funds. Motion, seconded by Councilman Blount, carried unanimously by roll call vote.

At 8:55 p.m. Mayor Drale declared a recess and the meeting reconvened at 9:10 p.m.

Recreation Commission recommending approval of J.L. Montgomery's request for permission to operate a popcorn only concession in Torrance Park on a six months agreement, subject to termination with thirty days notice. The percentage of the gross to be as follows: To \$800 - 5% of the gross; \$801 to \$1,500 - 10% of the gross and \$1,501 up - 15% of the gross.

Councilman Isen moved the City Council concur with the recommendation of the Recreation Commission on a special condition that Mr. Montgomery apply and pay for a City license. Motion, seconded by Councilman Schwab, carried by the following roll call vote: AYES: COUNCILMEN: Benstead, Isen, Schwab and Drale. NOES: COUNCILMAN: Blount. ABSENT: COUNCILMEN: None.

Recreation Commission regarding the request of John Hudson for use of the Civic Auditorium on Thursday nights for the purpose of organizing a drama group. The Recreation Commission recommended the usual fee for the Auditorium be waived, so that Mr. Hudson may have free use of the Auditorium for a period of three months, or up to the first production, whichever occurs first; that he pay the regular custodial fee and that he submit a separate request for the use of the Auditorium for the actual production.

Councilman Benstead said in his opinion no one should be given free use of the Auditorium for three months.

It was the opinion of Councilman Schwab and Councilman Isen that such a new activity in town might be good for the community and should be encouraged, providing it is open to anyone in the community.

Councilman Benstead moved the request be denied. Motion, seconded by Mayor Drale, carried by the following roll call vote: AYES: COUNCILMEN Benstead, Blount and Drale. NOES: COUNCILMEN: Isen and Schwab. ABSENT: COUNCILMEN: None.

Mayor Drale pointed out that this action did not necessarily close the matter and further clarification with the Council regarding the activity was in order.

Recreation Commission recommending that a resolution be drawn up requesting County assistance on the cooperative City-School recreation program in the City of Torrance. The Commission advised that the amount granted by the County last year was \$4,822.00 and recommended that this should be the minimum amount requested for the coming fiscal year 1955-56. The Commission advised that they had taken the action to insure that the money would be appropriated in the County budget for this purpose.

Councilman Benstead moved the Council concur with the recommendation of the Recreation Commission and authorize the necessary resolution. Motion, seconded by Councilman Isen, no objections, so ordered by Mayor Drale.

Mayor Drale moved the City Clerk write to Supervisor Chace regarding this matter and enclose a copy of the resolution. Motion, seconded by Councilman Blount, no objections, so ordered by Mayor Drale.

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Recreation Commission recommending that the contract with the School District be renewed and advising the amount contributed by the School District for the present fiscal year is \$4,000. The Commission further recommended that an attempt be made to increase the amount in proportion to the total increase of the school enrollment since 1949-50, the first year of the joint recreation program and advised that the increased allotment should be determined on the basis of the ratio between the number of students and the cash assistance granted in 1949-50.

Councilman Benstead moved the Council concur with the recommendation of the Recreation Commission. Motion, seconded by Councilman Blount, no objections, so ordered by Mayor Drale.

Recreation Commission requesting that the City Council permit the Commission to study the bids on recreation facilities, following their opening by the Council on March 15, so that they may pass on their recommendations to the Council.

Councilman Isen moved the Council accommodate the Recreation Commission in that when the bids are opened they be passed on to the Commission for study and recommendation. Motion, seconded by Councilman Schwab, no objections, so ordered by Mayor Drale.

Mayor Drale asked that the City Clerk notify the Recreation Commission of this action.

ENGINEERING AND PLANNING COMMISSION MATTERS:

Tentative Tract Map No. 15570: Subdivided by Louis Lesser Enterprises, located northeasterly of Tract No. 15397, southerly of Tract No. 15569, northerly of Calle Mayor, containing 148 lots and approved by the Planning Commission with the following stipulations: (1) That the City make a road on Lot 16, Block 2, of Tract No. 15397 (said lot owned by the City); (2) That Lot 121 or Lot 122 and the lot immediately to the North of it be dedicated to the City for street purposes; (3) Request recommendation of the City Engineer on the improvement of the western side of Calle Mayor.

Discussion was held as to who would stand the expense of the road recommended by the Commission and whether or not the subdivider should pay the City for the lot.

Councilman Isen moved the map be held over for one week. Motion, seconded by Councilman Blount, no objections, so ordered by Mayor Drale.

Tentative Tract Map No. 20829: Subdivided by John E. Kettler, located westerly of Western Avenue, easterly of Walnut Avenue and along 238th Street, containing 45 lots and recommended for approval by the Planning Commission.

Councilman Blount asked for information regarding the sump and the pump to be used in this area and City Engineer Bishop said the sump was not a part of the tract, but was necessary to make the tract livable. Mr. Bishop said he has not seen the design of the sump, but that the subdivider's engineer has said the streets will be flooded without it.

Councilman Blount moved the tract map be denied. Motion, seconded by Councilman Schwab, no objections, so ordered.

Revised Tentative Tract Map No. 20873: Subdivided by Ambassador Construction Company, located on the Weston Ranch Properties, southerly of Tract No. 18416 and recommended for approval by the Planning Commission with the following conditions: (1) With stipulation that a paved ten-foot easement be provided, the area to be selected by the City Engineer and the School Board. (2) That the tangent of Nearcliff Drive and Crest Road be improved to provide visibility for traffic entering Crest Road from Nearcliff Drive.

Discussion was held on the conditions of approval and Councilman Schwab moved the Council concur with the recommendation of the Planning Commission. Motion, seconded by Mayor Drale, carried unanimously by roll call vote. Further discussion was held on condition (1) and Councilman Isen moved the previous motion be recinded. Motion, seconded by Councilman Blount, no objections, so ordered by Mayor Drale.

Mayor Drale moved the Council concur with the recommendation of the Planning Commission and that Condition (1) be clarified to include a useable approach to the school with steps installed if necessary. Motion, seconded by Councilman Blount, carried by the following roll call vote: AYES: COUNCILMEN: Blount, Isen, Schwab and Drale. NOES: COUNCILMEN: Benstead. ABSENT: COUNCILMEN: None.

Final Tract Map No. 21173: Subdivided by Howard S. Miller, located along the southerly prolongation of Fonthill Avenue between 187th and 190th Streets, containing 14 lots and recommended for approval by the Planning Commission.

Councilman Blount moved the Council concur with the recommendation of the Planning Commission. Motion, seconded by Councilman Isen, carried unanimously by roll call vote

Tentative Tract No. 19792: Subdivided by Everett Powell, located south of Redondo Beach Boulevard, west of Radium Theatre and North of 164th Street, containing 24 lots and recommended for approval by the Planning Commission.

Considerable discussion was held on the different points taken under consideration by the Engineering Department when studying tract maps and what "approved from an engineering standpoint" actually covers, with particular reference to widths of streets.

Councilman Isen moved the Council concur with the recommendation of the Planning Commission. Motion lost for lack of a second.

Mr. B. Doyon, 2627 West 164th Street, protested the tract on the basis that a terrific drainage problem exists and that he will have no access to the rear of his property.

Further discussion was held with the subdivider and his engineer, regarding the street design, and it was suggested Wilkie Avenue go through to 164th Street, but Mr. Doyon advised that his house was located on that particular parcel. Councilman Blount said that he took exception to this map because it had been submitted as being all right and it is not.

Councilman Benstead moved the map be referred back to the Planning Commission. Motion, seconded by Mayor Drale, carried by the following roll call vote: AYES: COUNCILMEN: Benstead, Isen and Drale. NOES: COUNCILMAN: Schwab. NOT VOTING: COUNCILMAN: Blount.

Tentative Tract Map No. 21512: Subdivided by Hazel F. Norris, located northerly of 166th Street, westerly of Tract No. 19472, easterly of Casimir Avenue, containing 43 lots and recommended for approval by the Planning Commission with the special condition that a letter be written from the Engineering Department to the City Council clarifying the drainage situation.

A communication regarding the drainage from City Engineer Bishop accompanied the transmittal form, but because it could not be determined whether or not the three lots set aside as a possible addition to this subdivision had been obtained, Councilman Blount moved the matter be deferred to the next meeting so the Council can find out what they are voting on. Motion, seconded by Councilman Schwab, no objections, so ordered by Mayor Drale.

Final Tract Map No. 18747: Subdivided by Home Savings and Loan Association, located northerly of Carson Street, easterly of Madrona Avenue, westerly of Maple Avenue, containing 157 lots and recommended for approval by the Planning Commission.

Councilman Blount asked if there would be sewers in this tract and the subdivider's engineer said there would be.

Councilman Blount moved the Council concur with the recommendation of the Planning Commission. Motion, seconded by Councilman Schwab, carried unanimously by roll call vote.

Final Tract Map No. 18778: Subdivided by Altena Homes, Inc., et al, located between Torrance Boulevard and Sepulveda westerly of Hawthorne Avenue, containing 816 lots and recommended for approval by the Planning Commission.

Mr. Don Wilson was present and spoke as follows: The Dominguez Water Corporation has served us with a letter under date of February 14, 1955, a copy of which I supplied to Mr. Stevens, in which they inform us,

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"We understand that you are purchasing the Del Amo property" and they locate the property. It is the subject tract. "Please be advised that the Public Utilities Commission of the State of California has granted to this company a certificate of public convenience and necessity to serve and distribute water for domestic purposes to an area including the property in question. Therefore, we have the right and obligation to serve water to said property. We call your attention to Section C of Rule and Regulation 20 of the tariff of this company filed with said Public Utilities Commission on October 20, 1954, a copy of which is enclosed." And on the same one it is headed up here under Dominguez Water Corporation, Rule and Regulation No. 20, Main Extensions, and down at the bottom here it says Advice Letter No. 9, Decision No. 50580, served by J.R. Bradley, President, Date Filed - October 20, 1954, Effective - October 24, 1954. This came about in this way, they have over this property a floating easement which is not tied down to a specific location, so in order for us to get the map before the City Council, the parties who maintain the claim interest in the property must sign the map and have it shown on there. In approaching the Dominguez Water Company for a waiver of our easement right in there, they then served us with this letter and it was increment upon us to deposit with them the water main installation. We have done so in the amount of approximately \$132,000. That answers the question as far as I can go now.

City Manager Stevens: I have a letter here from the file I might add to that. It is addressed to Mr. Ronald W. Bishop, City Engineer, received in his office March 4, 1955, subject -- Water Service to Tract No. 18778. Mr. Milton Kauffman and Mr. Don Wilson, as agents for the subdividers, have informed us of their intention to subdivide the lands within Tract No. 18778 and have requested that we inform you with respect to the water service that is, or will be, available to the lands included within said subdivision. This corporation is a public utility and has been granted by the Public Utilities Commission of the State of California a certificate of public convenience and necessity to serve and distribute water for domestic purposes to an area which includes said subdivision. Mr. Milton Kauffman and Mr. Don Wilson, on behalf of the subdividers, have deposited with us, pursuant to Rule and Regulation No. 20 of the tariff of this corporation, the estimated cost of constructing a water distribution system to serve the land within said subdivision, and we are presently in the process of constructing the same. When said water distribution system is completed, this corporation, upon demand, will serve and supply water to each parcel of land within said subdivision without exception. It is signed by T.V. Tallon, General Manager and Chief Engineer of the Dominguez Water Corporation.

Councilman Blount: Just to keep the record straight, I'll address a question to the City Attorney. For that certificate and ten cents you can get a cup of coffee in any prominent restaurant. The City of Torrance could put lines in this tract, there's nothing in the world to stop the Water Department from putting water in, is there?

Attorney Hall: I don't know what the title situation is, but I think you could do the same thing.

Mayor Drale: I don't know Mr. Blount, we are now in the process of working out some reasonable conclusion with the Moneta Water Company. We have hired an attorney, they are going to court and now we are going to find out if we can take over our own system in another district.

Councilman Blount: May I say Mr. Drale, we are just giving to Mr. Kauffman et al, another very choice water account. We've done it continuously ever since they started developing in the City of Torrance. We will continue to and I will continue to oppose it because I think it is wrong. It is as wrong as it possibly can be. They are a very fine company in their development. We have never had a bit of trouble, but they have obligations with people they feel they have to concur with. If we would be men about it there would be some other arrangements, but as I told Mr. Wilson, he will do it.

Mr. Wilson: I tried to make myself clear on that when I spoke before. Actually it is not our fault, and as I explained to Mr. Stevens, some of you men may be union men and you, yourself, encountered the same thing. We feel that we are in a situation where two unions are fighting, or two water companies are fighting over distribution of the water system. We are quite sure that the water of one is equally as good as the water of the other. We have done everything we can to comply with the requirements of the City of Torrance subdivision maps, relative to assurance on the water situation. I think you are going to have to fight it out, but I think you might take it up on somebody else's tract. Fight it out on the issue of condemning their rights, if they have rights, then establish those things before we get into a specific case, where someone isn't going to get hurt -- maybe us in this particular instance

Mayor Drale: Mr. McVicar do you have a recommendation?

Mr. McVicar replied that he didn't think he was in a position to give a recommendation, but that we could serve the area, if that is what Mr. Drale meant. He also stated that this particular area is not in the district that we voted bonds on.

City Manager Stevens: I met in early January with Messrs. Crawford, Carson and Talon and their attorney to discuss the Victor Precinct annexation and at that time they said they had a water problem here and they would like to work something out in which they could serve the area. At that time they were talking about a period of time in which they would serve, and I think it was agreed that some day we would control all the water systems in the City of Torrance. This was over this remaining property, so I suggested the best way to approach it was that they work out some plan; that they confer with Mr. McVicar and myself and then at that time we would bring it before the Council. Apparently they gave up that idea and have taken this approach, because the first I knew of it is this copy of a letter to Mr. Wilson, which I have, and this letter to Mr. Bishop, which is just a few days old. They have apparently changed their approach and are not going to come to us and try to work out an agreement, they are just going ahead and I don't know what their plan is, but they have certainly abandoned the original idea of working up some type of agreement and then meeting with the Council to work out the details. The bad thing about it is that if they serve them under the present conditions, ultimately they will own a system which they have in effect paid for, and we will have to buy it lock, stock and barrel.

Councilman Blount: Which the people have paid for through Kauffman enterprises, and we will have to buy.

City Manager Stevens: It is different than our other arrangement with them, whereby at the end of a ten-year period we will take over the system. That is alright, but in this case we would be forced to buy it at the value of the completed installation and the good will that goes with it, and that's bad.

Mayor Drale: There is only one question that I would like to have answered, does the Dominguez Company have easements in this particular area?

Attorney Hall: We don't know what they have there.

Mr. Wilson: The record map shows that they do have. They make the sworn statement that they do have, right on the title sheet.

Councilman Blount: So streets dedicated to the City are not dedicated at all, they are dedicated with a bunch of strings on them.

Mr. Wilson: Actually, what physically transpires on that is that the rights of the Dominguez Water Company are paramount to the rights of the City of Torrance for streets. I don't think there is any question about it. It sounds more alarming than it actually is, but actually the Dominguez Water Company is older than the City of Torrance itself.

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Councilman Blount: I move we put this over for a week and find out just where we stand. (Motion lost for lack of a second.)

Mr. Thomas C. Webster: I am an officer of the Kauffman Corporation and am speaking in their behalf, particularly in the problem of settling this matter, gentlemen, we all like to enjoy a game of tennis, except when you, yourself, turn out to be the ball. That happens to be the case here. The Kauffman Corporation would be very willing to accept water from the City of Torrance, likewise they would be willing to accept water from the Dominguez Water Company. However, due to the fact that we are caught in the middle and it seems to me to have been passed back and forth as to who might and who might not supply it, the Kauffman Corporation is being the ball and is caught in the middle. It is not a matter of not wanting to accept water from the City of Torrance, it is a matter of being forced in this case, due to the fact that the Dominguez Company has and has had floating easements in not only this piece, but many areas of ground in the Torrance area. As a result they will not, and refuse to join in the subdivision map, until such time as they receive the right to service the houses, as, if, and when they are constructed. The end result being -- in order to get the map even before you it was necessary to accept the water from the Dominguez Water Company. We would have no objection and think it is within your right to take independent steps against Dominguez, or settle your difficulties there, but not at the expense of the subdivision in this case. Need I call your attention, I am sure that Mr. Hall is familiar with the facts on the Subdivision Map Act, Section 11611, which provides that in event the tentative map has been approved and there has been no changes --

Councilman Blount: Recognize the blackjack, gentlemen.

Mr. Webster: Not meaning it as a threat, that's not the idea at all, we just want you to understand that we, ourselves, have no alternatives, except to accept the water from the Dominguez Water Company. The end result being that we have relied upon you in filing our tentative map, and having had it accepted, we have expended an extremely large amount of money, wishing, hoping and expecting to have our final map approved as of this evening. It appears, and I believe Mr. Hall will bear me out, that just the passing of and accepting the map is about all the duties that this board has. To say that we will not accept your map, or that we will put it over to a later date, because of wanting the water, the monkey is on our back -- all we want is the monkey off our back. We would like to have the subdivision map approved, and I believe, legally speaking, we are entitled to have it approved at the present time. I believe under the same Act, Mr. Hall undoubtedly will bear me out, it provides that after the filing of the final map, the Council shall approve the final map at the next meeting, or within ten days thereafter. This is not a blackjack, it is just the fact that we are caught in the middle. We would like to have our map approved tonight. It meets the requirements, it is not a threat, not the slightest. We feel that we are right in asking that our map be approved now, we are helpless, our hands are tied as far as approving the water. The matter will be no different ten days from now than it is tonight. Dominguez has the right, it has over \$150,000 of our money, a great deal more than that has been expended on the subdivision so far. We would like to go ahead and have our map approved now.

Councilman Isen: I am ignorant on most of this particular problem, but the thing that has been bothering me all the way through is how did Dominguez get these people to put up the money to bring the water in to you?

Mr. Webster: Because of the fact that they have over this ground a floating easement and they refuse to release it.

Councilman Isen: They won't do anything unless you pay for the installation, is that the idea?

Mr. Webster: That is correct. We have to retain their name on the map. They have to sign it because they have an interest in the real property.

Councilman Isen: They say it will cost such and such an amount and you pay for it and then we will service you.

Mr. Webster: We have to pay for installation, that is true. That is not an unusual practice at all. That is a generally accepted practice among water companies.

City Manager Stevens: They are paid back over a period of years.

Mr. Webster: It is supposedly a refundable contract, but statistics show the subdivider gets back about 50%

Councilman Isen: I think the gentleman's point is well taken, but I think, consequently, there should be steps taken immediately to see what rights we have here and what court action should be taken to possibly gain the right to service the water.

Attorney Hall: You can't act immediately and in passing the map it passes out of your hands, so I don't think you should take any action.

Councilman Blount: I want to know if our records are any good. Our records state that this tentative tract map was a portion of another number and it was submitted by Milton Kauffman Construction. The one you presented here tonight says Altena Homes and a different number. I just want to get your blackjack wrapped up there.

Mr. Webster: I prefer you do not refer to matters of a blackjack --

Councilman Blount: It may not be a nice word, but that's exactly what you're holding over us. You are telling us we have no choice.

Mr. Wilson: For the record, here is a letter addressed to the Planning Commission, dated March 1, 1955, a copy of which the Engineering Department should have had. I heard it read into the minutes of the Planning Commission meeting: "Please be advised that Milton Kauffman Construction Corporation has assigned all of its interest in and to the subject properties to the various Corporations (see list attached). The constructing corporation for these properties is Family Land Company. The principal stockholders of said Corporations (including the Family Land Company) are Milton Kauffman and Don Wilson. The directors and officers of said Corporations (including the Family Land Company) are as follows: Milton Kauffman, President; Don Wilson, Vice President; Billie Roberts, Secretary-Treasurer." Signed by Don Wilson, Vice President, and by Billie Roberts, Secretary. At the same time we submitted an affidavit as follows: "Milton Kauffman and Don Wilson, first being duly sworn, depose and say that: He is the President and Vice President, respectively, of the following named corporations: Altena Homes, Inc., Bala Homes, Inc. (and thirty-odd names of corporations involved). That the officers, stockholders, directors, etc., of the foregoing corporations have no connection either indirectly or directly with any persons, firms, corporations, or partnerships which now have any tract under question by the City Council. That this statement is given to comply with letter dated June 29, 1954, from the Torrance City Clerk to the Engineering Department of Torrance." Signed this 1st day of March, 1955, by Milton Kauffman and Don Wilson. I believe that in the Planning Commission meeting I did hear the Engineering Department refer to Tract No. 18778 as being the first portion of Tract 20473, which was approved I believe under date of October 26, 1954, subject to the requirements meeting with the two oil and fence ordinances, which this tract does comply with.

Councilman Blount: Our records still name Milton Kauffman Corporation.

Councilman Isen: Mr. Hall, was it your theory there that our position would be stronger if we detain them?

Attorney Hall: I think so. I think it is true that Mr. Wilson is correct, that they comply with our Subdivision Ordinance in every particular, but

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I think that the Council has a reasonable length of time to determine whether or not there is complete compliance with the Subdivision Ordinance. At the same time it seems to me that if Dominguez does hold floating easements, as they referred to them, it would be a very simple matter to condemn that sort of thing and that the cost to the City would be very nominal, as compared to attempting to condemn a going thing. You would have to pay a severance and all that sort of thing.

Councilman Isen: Wouldn't the same thing follow whether we approve that tract or not? That was my thought, if there's cause for legal action let's get going.

Mr. Webster: May I ask that on your condemnation would you condemn the floating easements? Is that what you meant?

Councilman Isen: Yes, that's what he meant.

Attorney Hall: As I see your map it is alright, except they have retained certain street easements. I don't see, frankly, why the City can't go ahead and serve it, but I would like to have time to check the thing through.

Mr. Wilson: Time is of the essence. This is March the 8th, and I read the dates on which the letters were received. On February 28th I demanded from the Dominguez Water Company this letter that we had complied, in order that I could get into this meeting. The first letter we got from the Dominguez Water Company was February 14, and at that time we were scrambling around ourselves trying to find out where we go in accordance with your Ordinance No. 589, rules and regulations of the Torrance Municipal Water, and I don't know whether you operate under any other thing or not. Believe me, we had to do a little research on this thing to make sure that we have complied as far as we know. One of those things -- Section 15, item 4, states "No subdivision or resubdivision map or plat of any tract of land within said City shall hereafter be accepted or approved by the City Council of said City unless and until the necessary and required arrangements with regard to water service therein and fire protection service therein, as specified in this ordinance, shall be made with the said Council, including such financial guarantees or features as may be indicated in the premises". You have my letter that we have complied and put up the money. Under date of March 7, I received from the Dominguez Water Company a letter signed by T.V. Talon, General Manager and Chief Engineer, addressed to Milton Kauffman Corporation, attention: Don Wilson, "Fire hydrant locations for thirty-six fire hydrant locations have been marked and approved by Battalion Chief E.K. Walker of the Torrance City Fire Department on our map 18778. Fire service will be available upon the completion of the proposed pipeline system within the tract. Battalion Chief Walker has requested the installation of Greenburg California type hydrant heads, rather than James Jones J-378 heads, with further stipulation that the heads be on 6" mains, or larger." So we again feel that we have complied with the--

Councilman Blount: Upon the advice of the City Attorney that there is reasonable doubt that the subdivision ordinance has not been complied with on Tract No. 18778, I again move that we hold it over for one week and I have another motion to make after this one.

Mr. Webster: May I be heard one more time, I hate to take up you gentlemen's time, and that is this. We are requesting that we have the map approved tonight, the tentative map having been approved and the final map being in conformance therewith. I don't see what benefit would be derived in setting the matter over for an additional time, or what could possibly be gained, by the fact that there is a difference of opinion as to whether the City of Torrance, which we would be very willing, and I again stress, very willing to have supply water, Mr. Blount to the contrary, if we were in a position in any regard to sign up with the City of Torrance. So I say even though you did accept the map you have lost no grounds.

Mayor Drale: I believe the City Attorney should guide us on these matters and I think we should take his recommendation.

Mr. Webster: May I make just one statement and that is that I believe, as stated tonight, that the land does not lie within the water district as set forth by the, or as owned by the City of Torrance.

Councilman Schwab: I'll second it. I would like to say one word. I don't want these gentlemen to think, I am speaking for myself, that I am using them as a whipping post. I am sitting here as a member of the City Council in the interest of the City, as a member of the Council I have to look out for it.

Mr. Wilson: Now are we setting a definite night?

Mr. Wilson was informed that the matter would be considered at the next regular meeting to be held on Tuesday, March 15, at 5:30 p.m.

Mayor Drale asked for further questions. There being no objections he ordered the matter held over for a week.

Councilman Blount moved that in the interim the City Attorney be instructed to take as prompt steps as is possible to find out definitely what our position in this matter is and what we can do to save the City from losing another tract to private water companies, and if action is required to take it. Motion, seconded by Councilman Schwab, carried unanimously by roll call vote.

Tentative Tract Map No. 21246: Submitted by Stanford Construction Company, located northerly of 168th Street, southerly of Redondo Beach Boulevard and approximately 500 feet westerly of Yukon Avenue, and containing 39 lots.

This map was approved by the Planning Commission, subject to sewers being provided.

Councilman Schwab moved the Council concur with the recommendation of the Planning Commission.

Discussion on sewers was held and City Engineer Bishop stated that the subdivider must go approximately 1000 feet to connect to existing sewer at 168th Street, and that the subdivider's engineer has not completed his study as yet.

Councilman Schwab withdrew his motion, which had not received a second.

Mayor Drale moved this map be held over a week, or until the Engineering Department comes up with a recommendation on the sewer. Motion, seconded by Councilman Benstead, no objections, so ordered by Mayor Drale.

Deputy Clerk Hallanger read title to:

RESOLUTION NO. 2692

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TORRANCE REQUESTING THE BOARD OF SUPERVISORS TO
ORDER THE CANCELLATION OF TAXES ON CERTAIN PROPERTY
ACQUIRED BY THE CITY OF TORRANCE FOR PUBLIC USE.

Councilman Benstead moved to dispense with further reading of the Resolution. Motion, seconded by Mayor Drale, carried unanimously by roll call vote.

Councilman Benstead moved for the adoption of Resolution No. 2692. Motion, seconded by Mayor Drale, carried unanimously by roll call vote.

ORAL COMMUNICATIONS

City Manager Stevens said there were a number of items on the pre-Council Meeting agenda, which had not been covered, and asked what the desire of the Council was on discussing them at this time.

Mayor Drale suggested that they be held over to the next meeting.

City Manager Stevens recommended that the bid of Warren Southwest, Inc., in the amount of \$11,092.50, for the improvement of Anza Avenue, Palos Verdes Boulevard and Sepulveda Boulevard, be accepted as the lowest responsible bid and that all other bids be rejected.

Councilman Schwab moved the Council concur with the recommendation of the City Manager. Motion, seconded by Mayor Drale, carried unanimously by roll call vote.

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City Manager Stevens stated that in regard to the bids for laying pipe, Water Superintendent McVicar does not know the low bidder, nor has he had dealings with him, but he has been informed that he is a reliable contractor. City Manager Stevens recommended that the contract for laying the Water Department pipe be awarded to William DeMotte, who submitted the lowest responsible bid in the amount of \$32,254.50, providing that he post the necessary bonds; and that all other bids, with the exception of Graven and Company, who submitted the second lowest bid, so if this falls through we would have the second lowest bid to rely on.

Councilman Benstead moved to concur with the recommendation of City Manager Stevens. Motion, seconded by Councilman Schwab, carried unanimously by roll call vote.

City Manager Stevens said the Division of Highways was anxious to get an answer on the Casimir Avenue signals, which we asked for many months ago, as they are tying in the bidding with Crenshaw and 101. The cost to the City on Casimir signals will be \$6,000 and the cost to the City for Crenshaw and 101, which is very urgent, is going to be \$10,000. Mr. Stevens said he felt we should go ahead with these two projects, particularly at Crenshaw, and so recommended.

Councilman Blount moved to concur with the recommendation of the City Manager. Motion, seconded by Mayor Drale, carried unanimously by roll call vote.

Mr. Joe Friedland, of Southern California Edison Company, asked if discussion could now be held on Planning Commission Case No. 335, as Mr. George Powell had arrived.

Mayor Drale replied that this case had been referred back to the Planning Commission and that he did not believe it should be reopened at this time.

City Manager Stevens said he had a report on sumps in the oil fields, by Mr. George Powell, but because the Council couldn't do too much with it tonight anyway he would like to reproduce it and send a copy to each Councilman with a recommendation. Mayor Drale indicated that this would be desired.

Mayor Drale said he would like to make the following statement: "Mr. Bartlett is in the hospital, and Mr. Hallanger being his Deputy in the City Clerk's office, I would like to and I think all the Council would appreciate it, if we could take down the Iron Curtain between the City Clerk's office and the City Manager's office and see if we can get together a little more, accommodate each other and get along a little better. I think it has gone far enough. Statements have been made, and as Mr. Stevens is the City Manager in charge of all the City Hall, I think he should be given that consideration. So let's start it off that way, Mr. Hallanger, if you please." Mr. Hallanger indicated that he was in accord with Mayor Drale's request.

Councilman Blount moved that all bills properly audited be paid. Motion, seconded by Councilman Schwab, carried unanimously by roll call vote.

At 11:05 p.m. Councilman Schwab moved the meeting adjourn. Motion, seconded by Councilman Benstead, so ordered by Mayor Drale.

A. H. BARTLETT, City Clerk of
the City of Torrance

By I. J. Hallanger
I. J. Hallanger, Deputy
City Clerk of the City of
Torrance

APPROVED:

Nicholas O. Drale
Mayor of the City of Torrance